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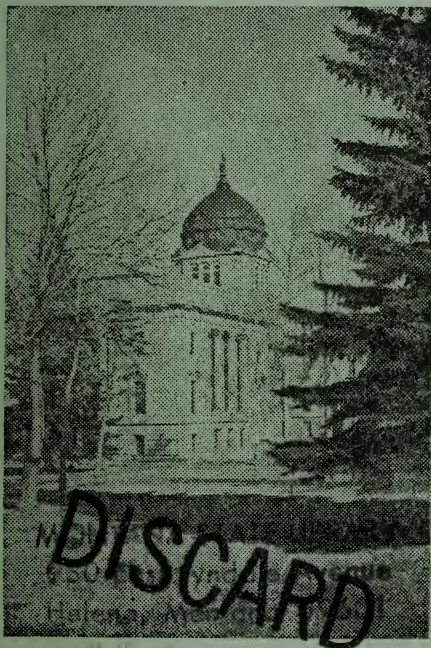
169 The Voting Record

of the

41st Legislative Assembly

1969

Helena, Montana



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**Democrats are shown in bold face type,
Republicans in Regular.**

INTRODUCTION

The 41st session will long be remembered as that session when the Republican Party made an 180 degree about face and became the spend thrifts who would make liberal legislators blush because they would be identified as penny pinchers.

The Republican legislators used as their weapon a statement made by Democrats that they could balance the budget with no more than a 10 per cent increase in taxes.

It became quite evident in the early days of the session that with this as a weapon, which would be used in attempts to embarrass the Democrats, the Republicans in the House would systematically increase every appropriations measure while at the same time they would cut every revenue measure.

This created an impossible situation and was the direct cause of the need for an extraordinary session.

A division developed between the Democrats in the House and the Senate over the amount of money needed in the school foundation program with the House Democrats refusing to accept the cuts made by the Democrats in the Senate.

As a result of cuts made by the Senate Democrats in the foundation program money, the Montana Education Association, long a stalwart ally of the Democratic Party, mailed a letter to its constituents, bitterly criticizing the cuts.

Some political observers believe that the overall push for additional revenue was nothing more nor less than an attempt by the Republicans to force a sales tax.

These same observers note with concern the action of the Montana Education Association and feel that it could well be that the organization will openly promote a sales tax before the 42nd session.

This voting record will reveal the blatant corporate influence which continues to hold a near stranglehold on Montana's economic well-being.

The accompanying explanation found with each

bill attempts to reveal the motive behind the measure and the sponsors' intentions.

A constitutional amendment was passed which will place before the voters in 1970 the proposition of streamlining the state government by reorganizing the state executive and administrative departments to within not more than 20 departments.

Montanans will also be called upon in 1970 to decide if 19 year olds should be given the right to vote. There had been efforts to include the right to drink intoxicating liquors but this did not pass.

Of much interest to all consumers was the effort by loan sharks to enact House Bill 160 which would have established a uniform consumer credit code and would have wiped off the books all present consumer laws.

This measure was prompted forcefully by lobbyists of loan companies and finance companies because one of the side benefits to them would have been interest rates of up to 36 per cent.

This type of legislation has originally been given passive approval by some knowledgeable Washington, D. C. people, but ended up receiving an almost universal denial by these same people when the full impact of the measure was learned.

Knowledgeable observers of the Helena scene feel that this definitely isn't the death of the efforts to get additional benefits for loan companies so legislators will have to be alerted in the 42nd session as to the possibility of such legislation again coming upon the political scene.

A much misunderstood measure was one introduced by Francis Bardanouve, Democrat of Blaine County, House Bill 530, which provided for the licensing of farmers and ranchers by a farmers and ranchers license board.

Many rural people felt that this was an effort to place another tax on them, but in reality it was an effort to provide some protection for them against the continued invasion of their area of livelihood by non-farm interests.

It was pointed out by Bardanouve that during the session many others had come to the legislature asking licensing boards to give them protection or asked for stronger laws to be added to present legislation in order to offer them additional protection.

It was noted that everything from barbering to cosmetologists were protected from outside invasion of their trade by laws which state that to enter these fields a person must prove themselves capable and pass a test. While those wanting to enter agriculture could easily do so whether they had any knowledge, aptitude or training for the fields.

House Bill 530 would have granted a license to all those presently engaged in agriculture and to their children. The license would also have been available to those having attended agricultural colleges and those who could successfully pass a prescribed test.

Due to much misunderstanding and much ridicule, House Bill 530 was killed in the Republican controlled House.

Once again efforts to enact legislation providing for the utilization and conservation of Montana's water resources met an untimely end in the Republican controlled House. Such efforts always draw the wrath of the corporate giants and once again they rolled out their big guns to shoot down the efforts of the 41st session as would have been provided in House Bill 337.

Improved unemployment compensation benefits were placed as the chief goal of the Montana State AFL-CIO legislative program for 1969 because as was pointed out by the AFL-CIO "only two states were below Montana in the amount of benefits paid to the unemployed." Minimal gains were made in this area.

Governor Forrest H. Anderson spoke out boldly for improvements in state government, declaring that the principal business of the 41st session was to take steps to save the institution of state government as a viable part of the federal system.

Anderson urged in his State of the State message that legislation be enacted to provide a minimum wage law, improved unemployment benefits, a realistic and expanded vocational education curriculum, consolidation of offices, a stronger and better financed governor's office and improved federal-state relations.

The governor also suggested scrutiny of the State Department of Institutions, harmony between the two legislative houses and improved legislative-executive relations.

In speaking of expenditures, Governor Anderson said, "I recommend that the 1969 Legislature authorize increased general fund expenditures consistent with the ability of the people to support such expenditures. I do not suggest austerity or false economy."

He characterized the Republican plan of increasing all appropriation measures, while cutting all Democrat-introduced revenue measures, as a vain attempt to fill a ten gallon milk can with only five gallons of milk.

Much attention was focused in the 41st Legislature upon legalizing bingo and lotteries and legislating against other games of chance by amending the Montana Constitution by submitting the question to the voters. Strong feeling was evident following the complete crackdown by the office of the State Attorney General on all bingo games.

Drawing much publicity, mail and pressure was the efforts to grant aid to non-public schools. This probably drew more mail than any other issue and was definitely not a party-line issue. It was certainly a very emotional issue and one that was not easily discussed because of the many and varied connotations connected with such legislation.

Evidence that Montanans are greatly concerned with the continuing rise in cost of hospital services was seen in the introduction of Senate Bill 218 which would have placed hospitals under the supervision of a board with the board setting the rates for treat-

ment and services to employees for sickness and accident under the workmen's compensation act.

The 41st session also shared the lime light with a long awaited announcement by the Montana Railroad and Public Service Commission concerning a requested rate increase by the Montana Power Company.

This announcement, that the Public Service Commission had granted a huge rate increase to the out-of-state owned Montana Power Company came after the defeat of the Territorial Integrity Bill that was promoted by the rural electrics. Many observers felt that the announcement was deliberately withheld until after the vote on Territorial Integrity. It seems certain that should the announcement have been made before the vote, many of the legislators might have voted differently.

A much needed bill which would have required that all lobbyists file a list of expenses was killed in the Republican controlled House. It was fought hard by the lobbyists for the Montana Power Company and other corporate giants.

Sponsors of the bill pointed out that as long as politicians must file expenses, lobbyists, commonly called the third house, should also file their expenses. Filing of expenses by lobbyists would probably mean the end of free "booze" and steaks as it could be embarrassing to have the consumers know just how much of their money is spent in Helena.

One House member stated, "When a corporate lobby is so powerful it can hold the Public Service Commission in one pocket, a majority of the House in another and its hand in the pockets of Montana electric consumers, the public has the right to know about any undue use of funds."

Drawing the spotlight for many days during the session was House Bill 460, a city-county consolidation bill, sponsored by McGrath and Patrick, which by omission, would have given investor owned utilities an open hand to pirate all rural electric co-operative territories.

This 60-page masterpiece was lobbied for very hard by the Montana Power Company, for it would have given them free rein to extend their lines to serve customers already served by rural electrics.

Montanans should remember that although much attention has been focused on the increase in the Montana income tax and how much it will cost taxpayers, little has been said about the increase in the rates for the Montana Power Company.

It should be noted that for a family of four with an annual income of \$6,000, the increased income tax rates will cost that family only a little over \$8.00 a year more in tax. That same family, if they're served by Montana Power Company, and they probably are, should just check their utility bills, before and after the rate increase. They will find that they're paying several times more per year for increased utility rates than for increased tax rates.

There are many other bills which could be discussed but with the press of time and competition from slick, well-illustrated magazines additional material would be superfluous.

The material presented in this record will furnish you critical bills upon which you may base your own judgment as to how you rate individuals as to whether they represent you.

This voting record will prove beyond any shadow of a doubt that although some people give you many words, they fail miserably when it comes to action.

We need a more informed citizenry and it is for this reason this record has been compiled. Hopefully we will all be better informed and through our additional knowledge we can all build together for a better Montana for all people regardless of race, color or creed.

EDUCATION GAINS MADE

Many gains for education and educators were made during the 41st session and although voting records aren't listed, it's important that the bills are discussed.

RETIRED TEACHERS GAIN

House Bill 12—This bill increased the minimum retirement for maximum number of years of service to \$1,500 and will enable each member now receiving retirement money to get a two per cent increase for each year of retirement from 1937-67 and provides that each member may elect to take the two per cent increase or the \$1,500, whichever is greater.

House Bill 13—Increases by one-half per cent the employer contribution to finance payments for those retired.

Senate Bill 85—The incentive for nonvoting in school bond elections has been removed by this bill. Formerly at least 40 per cent of the qualified electors had to vote before a bond election was valid. This measure stipulates that if less than 40 per cent, but more than 30 per cent, of the qualified electors vote, a proposal will pass if at least 60 per cent of those voting favor it. If more than 40 per cent vote, a simple majority wins; if less than 30 per cent vote, the issue is lost.

EDUCATION LOST WITH THE DEFEAT OF SOME MEASURES

Senate Bill 254—This was actually a truth in information bill, which would have required county treasurers to send out a standard tax notice so that school and other tax amounts could readily be recognized by the taxpayer. This measure was killed in the Republican controlled House Town and Counties Committee.

Other worthwhile education bills killed by the Republican controlled House were Senate Bill 87, which would have allowed budgeting authority for a local school board above the existing limitations

under the law in the amount of the employer's contribution for social security. This bill would have given about a 3 per cent increase in the budgeting authority at the local level. Senate Bill 132—Although this measure had strong state-wide support it was killed in the House. It would have allowed the establishment of public kindergartens with budgeting authority under the foundation program. The budget amount would have been 40 per cent of the annual number belonging for an elementary child.

Education spokesmen have said that to show a voting record on foundation program legislation would be meaningless, as the measure finally accepted was amended so many times that actually they were acceptable by nearly everyone.

Higher education received a boost with the passage of House Bill 120 which allows academic, occupational and adult education at a community college. House Bill 136 defines the average number belonging for junior college budgeting and considers a community college under the act as a school district for the purpose of adult education. House Bill 240 enables trustees of a community college to borrow money from agencies of the federal government. House Bill 495 increases from 48 to 96 the number of Indians who may be selected to attend units of the university system without payment of fees.

VOCATIONAL-TECHNICAL EDUCATION

House Bill 481—Provides for support, coordination, overall state growth and development of post-secondary technical education. It also provides area designation for Missoula, Butte, Helena, Billings and Great Falls. This measure will not affect programs that have been designated by the State Board of Education that are now operative.

COLLECTIVE BARGAINING FOR PUBLIC EMPLOYEES

Senate Bill 256—The lack of bargaining power for public employees has long been a source of concern. This would have been accomplished with this measure as SB 256 would have granted public employers and public employees the right to bargain collectively, providing that the Department of Labor and Industry would designate the labor organization to be the exclusive representative of employees in certain units, and would have called elections by employees for this purpose. The Department of Labor and Industry would have established remedies for unfair labor practices and provided procedures for carrying out the act.

It was the intent of the measure to promote public business by removing certain recognized sources of strife and unrest, by encouraging the practice of collective bargaining to arrive at friendly adjustment of all disputes. These could include questions of wages, hours, fringe benefits and other conditions of employment.

SB 256 stated that public employers should not interfere, restrain or coerce employees in the choosing of the labor organization to represent them. It also stated that labor organizations should not restrain or coerce employees in the selection of labor organizations.

SB 256 would have assured the employees the fullest freedom in exercising the right guaranteed by the act as the Department of Labor and Industry would have decided the unit appropriate for the purpose of collective bargaining, based on such factors as community interest, wages, hours, fringe benefits and other working conditions of the employees involved and the desires of the employees.

This bill was passed by the Democrat controlled Senate but met an untimely death in the Republican controlled House Labor and Commerce Committee.

Sponsors of the bills were: Sheehy and McKeon.

SENATE VOTE ON SB 256

For Collective Bargaining (30)

Anderson	Graham	McKeon
Bertsche	Groff	Mitchell
Bollinger	Hafferman	Nees
Boylan	James	Reardon
Cotton	Keenan	Reber
DeWolfe	Lynch	Sheehy
Dzivi	Mahoney	Shugrue
Flynn	Manning	Siderius
Gilfeather	McDonald	Sparks
Goodheart	McGowan	Thiessen

Against Collective Bargaining (25)

Bennett	Hibbard	Rehberg
Broeder	Klindt	Rosell
Brownfield	Lehrkind	Rostad
Cochrane	Lyon	Rugg
Deschamps	Mackay	Selstad
Folsom	Mathers	Stein
Haughey	Moritz	Stephens
Hazelbaker	Moore	Turnage
	Northey	

Democrats are shown in bold face type,
Republicans in Regular.

DEFINING STANDARD PREVAILING RATE OF WAGES

Senate Bill 189—Efforts to standardize wage rates succeeded with the signing of SB 189 which amends the Codes of Montana by defining standard prevailing rate of wages by providing for approval of public works contracts and by providing for the notification of the commissioner of labor.

SB 189 specifies that in all contracts hereafter let for state, county, municipal, school, or highway construction and repair and maintenance work under any of the laws of the state there shall be inserted in each of the contracts a provision by which the contractor must give preference to the employment of bona fide Montana residents and the contractors must pay the standard, prevailing rate of wages in effect and applicable in the county or locality in which the work is being performed.

The prevailing rate of wages would include fringe benefits for health and welfare pension contributions and travel allowance provisions.

Sponsors of the bill were: Reardon, Lynch, Keenan and Sheehy.

SENATE VOTE ON SB 189

For Standardizing Wages (32)

Anderson	Dzivi	Keenan	Nees
Bennett	Flynn	Lehrkind	Reardon
Bertsche	Gilfeather	Lynch	Reber
Bollinger	Goodheart	Mahoney	Sheehy
Boylan	Graham	Manning	Shugrue
Cotton	Groff	McDonald	Siderius
Deschamps	Hafferman	McKeon	Thiessen
DeWolfe	James	Mitchell	Turnage

Against Standardizing Wages (21)

Broeder	Hibbard	McGowan	Rostad
Cochrane	Klindt	Moritz	Rugg
Folsom	Lyon	Moore	Selstad
Haughey	Mackay	Northey	Sparks
Hazelbaker	Mathers	Rehberg	Stein
			Stephens

Brownfield was excused and Rosell did not vote.

HOUSE VOTE ON SB 189

For Standardizing Wages (71)

Aspevig	Gunderson	Lombardi	Schoonover
Aubert	Hageman	Lucas	Scott
Baeth	Haines	Lund	Smith, E. B.
Bardanouve	Hall	Lundgren	Spahr
Brand	Harlow	Mather	Speare
Campbell	Harrison	McGrath	Staigmiller
Casey	Healy	Mehrens	Steele
Christiansen	Himsl	Melcher	Stratton
Cranston	Holtz, M.	Newby	Teepie
Eggebrecht	Johnston	Nichols	Ulmer
Fagg	Jurcich	Nugent	Warfield
Fasbender	Kendall	Nyquist	Watt
Feda	Knudsen	Payne	Wayrynen
Fleming	Kosena	Pierce	Williams, P.
Gerke	Kvæalen	Polich	Worden
Giesick	Laas	Prevost	Yardley
Gilligan	Lee	Romney	Zimmer
Glennen	Loble	Rygg	

Against Standardizing Wages (29)

Asbjornson	Egan	Kolstad	Shively
Burnett	Falkenstern	Marks	Smith, C. M.
Cashmore	Feisthamel	McCulloch	Spilde
Clemow	Forester	Murphy	White
Combs	Goan	Patrick	Whitney
Dye	Hemstad	Perry	Williams, W.
East	Jordan	Robbins	Wolf
			Woodard

Brownlee, Healy, R. W. Holtz, Stimatz and Swan did not vote.

MINIMUM WAGE

Senate Bill 249—The longtime quest for minimum wages and hours would have ended with the passage of this measure for it would have established minimum wages and hours for employees in the State of Montana, delegating to the Commissioner of Labor the duty of administering the act with penalties provided for failure to comply.

It was the intent of the legislation to establish minimum wage and overtime compensation standards for workers at levels consistent with their health, efficiency and general well-being. It would have maintained compensation standards adequate to maintain an acceptable standard of living and sustain purchasing power and increase employment opportunities.

Under this measure "wages" would have included the reasonable cost to the employer of furnishing employees board, lodging or other facilities, provided that in no case such inclusion should exceed an amount equal to 40 per cent of the total wage.

Sponsors of the bill were: Flynn, Shugrue, Sheehy.

Democrats are shown in bold face type,
Republicans in Regular.

SENATE VOTE ON SENATE BILL 249

For Minimum Wage and Hours (43)

Anderson	Folsom	Lynch	Reber
Bennett	Gilfeather	Lyon	Rehberg
Bertsche	Goodheart	Mahoney	Sheehy
Bollinger	Graham	Manning	Shugrue
Boylan	Groff	McDonald	Siderius
Broeder	Hafferman	McGowan	Sparks
Cotton	Haughey	McKeon	Stein
Deschamps	Hæzelbaker	Mitchell	Stephens
DeWolfe	James	Nees	Thiessen
Dzivi	Keenan	Northey	Turnage
Flynn	Lehrkind	Reardon	

Against Minimum Wage and Hours (12)

Brownfield	Klindt	Moritz	Rostad
Cochrane	Mackay	Moore	Rugg
Hibbard	Mathers	Rosell	Selstad

HOUSE VOTE ON SENATE BILL 249

Against Minimum Wage and Hours (53)

Asbjornson	Feisthamel	Lund	Scott
Burnett	Forester	Lundgren	Shively
Campbell	Giesick	Marks	Smith, C. M.
Casey	Glennen	Mather	Smith, E. B.
Cashmore	Goan	McCulloch	Spilde
Clemow	Harrison	Murphy	Stratton
Combs	Hemstad	Newby	Ulmer
Cranston	Himsl	Nichols	Warfield
Dye	Holtz, M.	Patrick	White
East	Jordan	Payne	Whitney
Fagg	Kolstad	Perry	Williams, W.
Falkenstern	Kvæalen	Pierce	Wolf
Feda	Lucas	Rygg	Woodard
			Worden

For Minimum Wage and Hours (46)

Aubert	Gunderson	Laas	Romney
Baeth	Hageman	Lee	Schoonover
Bardanouve	Haines	Loble	Spahr
Brand	Hall	Lombardi	Speare
Christiansen	Harlow	McGrath	Staignmiller
Egan	Healy	Mehrens	Steele
Eggebrecht	Johnston	Melcher	Teeple
Fasbender	Jurich	Nugent	Watt
Fleming	Kendall	Nyquist	Wayrynen
Gerke	Knudsen	Polich	Williams, F
Gilligan	Kosena	Prevost	Yardley
		Robbins	Zimmer

Not Voting: Aspevig, Brownlee, R. W. Holtz, Stimat and Swan.

EXTENSION OF BENEFIT AMOUNTS

Senate Bill 237—There was an effort by Senators to extend the benefit amounts of unemployment compensation. This measure was overwhelmingly passed by the Senate on a 50 to 2 vote, but never the less met its fate at the hands of the Republican controlled House Labor and Commerce Committee.

SB 237 specified that such benefits should not be more than \$42 per week nor less than \$15 per week.

An effort was made in the House to keep this measure alive but it was defeated 50 to 43. This vote is included.

Sponsors of the bill were: Siderius, Hafferman, Reardon, Shugrue, Lynch, Bertsche, Flynn and McKeon.

Democrats are shown in bold face type,
Republicans in Regular.

SENATE VOTE ON SB 237

For Extending Benefit Amounts (50)

Anderson	Folsom	Lehrkind	Reber
Bennett	Gilfeather	Lynch	Rehberg
Bertsche	Goodheart	Mackay	Rosell
Bollinger	Graham	Mahoney	Rostad
Boylan	Groff	Mathers	Selstad
Broeder	Hafferman	McDonald	Sheehy
Cochrane	Haughey	McGowan	Shugrue
Cotton	Hazelbaker	McKeon	Siderius
Deschamps	Hibbard	Mitchell	Sparks
DeWolfe	James	Moritz	Stein
Dzivi	Keenan	Moore	Stephens
Flynn	Klindt	Nees	Thiessen
		Reardon	Turnage

Brownfield was Excused and Manning and Northey did not vote.

Against Extending Benefit Amounts (2)

Lyon

Rugg

HOUSE VOTE ON SB 237

For Extending Benefit Amounts (43)

Aspevig	Gerke	Lee	Romney
Baeth	Gilligan	Loble	Schoonover
Bardanoue	Hageman	Lombardi	Spahr
Brand	Hall	McGrath	Speare
Christiansen	Healy	Mehrens	Staigmiller
Egan	Johnston	Nugent	Steele
Eggebrecht	Jurcich	Nyquist	Teeple
Fasbender	Kendall	Harlow	Watt
Feda	Knudsen	Polich	Williams, P.
Fleming	Kosena	Prevost	Yardley
	Laas	Robbins	Zimmer

Against Extending Benefit Amounts (50)

Asbjornson	Feisthamel	Lund	Shively
Brownlee	Forester	Lundgren	Smith, C. M.
Burnett	Giesick	Marks	Spilde
Campbell	Glennen	Mather	Stratton
Casey	Goan	McCulloch	Swan
Cashmore	Harrison	Nichols	Ulmer
Clemow	Hemstad	Patrick	Warfield
Combs	Himsel	Payne	White
Cranston	Holtz, M.	Perry	Whitney
Dye	Jordan	Pierce	Williams, W
East	Kolstad	Rygg	Wolf
Fagg	Kvæalen	Scott	Worden
Falkenstern	Lucas		

Haines, R. W. Holtz, Murphy and Stimatz were Excused and Aubert, Gunderson, Melcher, Newby, E. B. Smith, Wayrynen and Woodard did not vote.

INCREASED CONTRIBUTION RATES BY AN EMPLOYER

Senate Bill 238—Efforts to stabilize the Unemployment Commission compensation fund were of no avail for once again the Republican controlled House Labor and Commerce Committee dealt ruthlessly with labor legislation.

SB 238 cleared the Senate on an easy 45 to 9 vote but wasn't given the opportunity of being heard on the floor of the House, before it was cut down.

The increased rates as would be set by the UCC would stand and be in effect unless and until the cash reserves in the unemployment compensation trust fund at any time in the future fell below and remain below, \$18,000,000 continuously for a period of one year. The rates would then be increased to approximately two per cent and held at this rate until the cash reserves in the unemployment compensation trust fund exceed \$26,000,000, at which time the rates would have been lowered to 1.7 per cent.

Sponsors of the bill were: Siderius, Cochrane, Reardon, Flynn, Shugrue, Lynch, Bertsche and McKeon.

SENATE VOTE ON SB 238

For Increasing Contribution Rate By Employers (45)

Anderson	Groff	Moritz
Bennett	Hafferman	Moore
Bertsche	Hazelbaker	Nees
Bollinger	Hibbard	Reardon
Boylan	James	Reber
Broeder	Keenan	Rosell
Cochrane	Lehrkind	Rugg
Cotton	Lynch	Selstad
Deschamps	Mackay	Sheehy
DeWolfe	Mahoney	Shugrue
Dzivi	Manning	Siderius
Flynn	McDonald	Sparks
Gilfeather	McGowan	Stein
Goodheart	McKeon	Thiessen
Graham	Mitchell	Turnage

Against Increasing Contribution Rate By Employers (9)

Brownfield	Klindt	Rehberg
Folsom	Lyon	Rostad
Haughey	Mathers	Stephens

Northey was Excused.

PROVIDING COMPENSABILITY OF OCCUPATIONAL DEAFNESS

Senate Bill 171—Those workers in industry who are exposed to prolonged exposure to noise in employment and eventually suffer deafness from it would have been covered under SB 171.

It would have amended the workmen's compensation act to provide for compensability of occupational deafness with it being defined as permanent partial or permanent total loss of hearing of one or both ears due to occupational noise. "Noise" would mean occupational sound capable of producing occupational deafness. Loss of hearing due to industrial noise for compensation purposes would have been confined to the frequencies of 500, 1000 and 2000 cycles per second.

Although this bill came out of the Senate with only one Senator voting against it, SB 171 was killed on second reading in the Republican controlled House.

Sponsors of the bill were: Gilfeather, Shugrue, Mahoney, Bertsche, Reber, Mitchell, Dzivi and McDonald.

**Democrats are shown in bold face type,
Republicans in Regular.**

SENATE VOTE ON SB 171

For Compensation For Occupational Deafness (54)

Anderson	Gilfeather	Lyon	Reber
Bennett	Goodheart	Mackay	Rehberg
Bertsche	Graham	Mahoney	Rosell
Bollinger	Groff	Manning	Rostad
Boylan	Hafferman	Mathers	Rugg
Brownfield	Haughey	McDonald	Selstad
Cochrane	Hæzelbaker	McGowan	Sheehy
Cotton	Hibbard	McKeon	Shugrue
Deschamps	James	Mitchell	Siderius
DeWolfe	Keenan	Moritz	Sparks
Dzivi	Klindt	Moore	Stein
Flynn	Lehrkind	Nees	Stephens
Folsom	Lynch	Northey	Thiessen
		Reardon	Turnage

Against Compensation For Occupational Deafness (1)

Broeder

HOUSE VOTE ON SB 171

For Compensation For Occupational Deafness (38)

Aubert	Gerke	Kosena	Romney
Baeth	Gilligan	Lee	Schoonover
Bardanouve	Gunderson	Loble	Speare
Brand	Hageman	Lombardi	Staigmiller
Christiansen	Hall	McGrath	Steele
Egan	Harlow	Melcher	Teeple
Engbrecht	Healy	Nugent	Watt
Fasbender	Johnston	Polich	Williams, P.
Fleming	Kendall	Prevost	Yardley
		Robbins	Zimmer

Against Compensation For Occupational Deafness (54)

Glennen	Falkenstern	Lucas	Scott
Asbjornson	Feda	Lund	Shively
Aspevig	Feisthamel	Lundgren	Smith, C. M.
Brownlee	Forester	Marks	Smith, E. B.
Burnett	Giesick	Mather	Spilde
Casey	Goan	McCulloch	Swan
Cashmore	Harrison	Murphy	Ulmer
Clemow	Hemstad	Newby	Warfield
Combs	Himsel	Nichols	White
Cranston	Holtz, M.	Patrick	Whitney
Dye	Kolstad	Payne	Williams, W
East	Kvaalen	Perry	Wolf
Fagg	Laas	Pierce	Woodard
		Rygg	Worden

Campbell, Haines, R. W. Holtz, Jordan, Jurcich, Knudsen, Nehrens, Nyquist, Spahr, Stimatz, Stratton and Wayrynen did not vote.

REDUCE MAXIMUM CONSECUTIVE HOURS OF LABOR

House Bill 258—The long battle to bring some reason in the number of hours of consecutive hours of labor a railway employee can work finally met with success with the signing of HB 258.

This bill specifies that on all lines of railways operated in whole or in part within Montana, the time of labor of locomotive engineers, firemen, conductors, trainmen, operators and agents acting as operators, employed in running or operating the locomotive engines of trains on or over such railroads shall not at any time exceed twelve consecutive hours, or to be on duty more than sixteen hours in the aggregate in any twenty-four hour period. At least eight hours shall be allowed off before these trainmen are again ordered or required to go on duty, however trainmen, regardless of hours, would not be allowed to desert his train in case of accident, storms, wrecks, wash outs, snow blockades or any other unavoidable delay arising from like causes or to tie up any train between terminals.

This is a sensible approach to the maximum number of hours which may be worked and one that was long overdue. It is definitely a step toward greater safety on railways.

Sponsors of the bill were: Feda, Brand, Rygg, Zimmer, Jordan, Lund, Aspevig, Kolstad, Staigmilller and Melcher.

HOUSE VOTE ON HB 258

For Reducing Maximum Number Hours of Labor (63)

Aspevig	Hageman	Lombardi	Shively
Aubert	Hall	Lucas	Spahr
Baeth	Harlow	Lund	Speare
Bardanouve	Harrison	Lundgren	Staigmiller
Brand	Healy	McCulloch	Steele
Campbell	Himsl	Mehrens	Stimatx
Christiansen	Johnston	Melcher	Teeple
Cranston	Jordan	Newby	Ulmer
East	Jurcich	Nugent	Warfield
Fagg	Kendall	Nyquist	Watt
Fagbender	Knudsen	Payne	Wayrynen
Feda	Kolstad	Perry	Williams, P.
Gerke	Kosena	Polich	Worden
Gilligan	Laas	Robbins	Yardley
Goan	Lee	Romney	Zimmer
Gunderson	Loble	Rygg	

Against Reducing Maximum Number of Hours (36)

Asbjornson	Fleming	McGrath	Smith, E. B.
Brownlee	Forester	Murphy	Spilde
Casey	Giesick	Nichols	Stratton
Cashmore	Glennen	Patrick	Swan
Clemow	Hemstad	Pierce	White
Combs	Holtz, M.	Prevost	Whitney
Egan	Kvaalen	Schoonover	Williams, W.
Falkenstern	Marks	Scott	Wolf
Feisthamel	Mather	Smith, C. M.	Woodard

Burnett, Dye, Eggebrecht, Haines and R. W. Holtz did not vote.

SENATE VOTE ON HB 258

For Reducing Maximum Number of Hours of Labor (39)

Anderson	Gilfeather	Lynch	Northey
Bennett	Goodheart	Mahoney	Reardon
Bertsche	Graham	Manning	Reber
Bollinger	Groff	McDonald	Sheehy
Boylan	Hafferman	McGowan	Shugrue
Broeder	Hazelbaker	McKeon	Siderius
Cotton	James	Mitchell	Sparks
Deschamps	Keenan	Moritz	Stephens
Dzivi	Klindt	Moore	Thiessen
Flynn	Lehrkind	Nees	

Against Reducing Maximum Number of Hours of Labor (16)

Brownfield	Haughey	Mathers	Rugg
Cochrane	Hibbard	Rehberg	Selstad
DeWolfe	Lyon	Rosell	Stein
Folsom	Mackay	Rostad	Turnage

PENALTY FOR RAILROADS FAILING TO COMPLY WITH STAFFING AND SERVICE REQUIREMENTS

Senate Bill 203—Efforts to amend the Revised Codes of Montana as they pertain to penalties for railroads which fail to comply with the staffing and service requirements failed even though the measure made it through the Senate on nearly a straight partyline vote, it was killed in the Republican controlled House Business and Industries Committee.

SB 203 would have set the minimum fine at not less than \$50 and the maximum of not more than \$200 for each day it failed to comply after a request from at least 50 persons had been filed.

Sponsors of the bill were: Sheehy, Flynn, Mathers and Lynch.

SENATE VOTE ON SB 203

For Penalties for Railroads Which Fail To Comply

Anderson	Flynn	Keenan	Reber
Bertsche	Gilfeather	Lynch	Sheehy
Bollinger	Goodheart	Mahoney	Shugrue
Boylan	Graham	McDonald	Siderius
Cotton	Groff	McGowan	Sparks
DeWolfe	Hafferman	Mitchell	Stephens
Dzivi	James	Reardon	Thiessen

Against Penalties for Railroads Which Fail To Comply

Bennett	Haughey	Mackay	Rosell
Broeder	Hazelbaker	Mathers	Rostad
Brownfield	Hibbard	Moritz	Rugg
Cochrane	Klindt	Moore	Selstad
Deschamps	Lehrkind	Northey	Stein
Folsom	Lyon	Rehberg	Turnage

Manning, McKeon and Nees did not vote.

DUTY OF RAILROADS TO FURNISH SHIPPING FACILITIES

Senate Bill 202—The cutback of railroad service to rural areas has long been of concern to shippers in many small communities as well as to farmers and ranchers.

SB 202 now assures that railroads have the duty to maintain certain facilities in townsites by increasing the minimum population of places where such facilities are required and by requiring minimum staffing of such facilities.

According to SB 202 it is the duty of every person, corporation or association operating a railroad in the State of Montana to maintain and staff facilities for shipment and delivery of freight and to ship and deliver freight and accommodate passengers in at least one location in each county through which the line of the railroad passes and at any point upon the line where there is a city of not less than one thousand people.

It would not require a facility in any town where there is not one at the effective date of the act. It likewise would not mean that any existing facility in a town of less than 1,000 at the time of the act, would be discontinued without a hearing before the board of railroad commissioners as required by law.

Sponsors of the bill were: Sheehy, Flynn, McKeon and Lynch.

SENATE VOTE ON SB 202

For Maintenance of Railroad Shipping Facilities (27)

Anderson	Gilfeather	Lynch	Sheehy
Bollinger	Goodheart	Mahoney	Shugrue
Boylan	Graham	McDonald	Siderius
Cotton	Groff	McGowan	Sparks
DeWolfe	Hafferman	Mitchell	Stephens
Dzivi	Judge	Reardon	Thiessen
Flynn	Keenan	Reber	

Against Maintenance of Railroad Shipping Facilities (26)

Bennett	Folsom	Lehrkind	Rehberg
Bertsche	Haughey	Lyon	Rosell
Broeder	Hazelbaker	Mackay	Rostad
Brownfield	Hibbard	Mathers	Rugg
Cochrane	James	Moritz	Selstad
Deschamps	Klindt	Moore	Stein
		Northey	Turnage

Nees was Excused and Manning and McKeon did not vote. The tie Senate vote was broken by Lt. Gov. Tom Judge.

HOUSE VOTE ON SB 202

For Maintenance of Railroad Shipping Facilities (62)

Aspevig	Feisthamel	Laas	Robbins
Aubert	Fleming	Lee	Romney
Baeth	Gilligan	Loble	Rygg
Bardanouve	Gunderson	Lombardi	Smith, E. B.
Brand	Hageman	Lucas	Staigmiller
Brownlee	Harlow	Lund	Steele
Casey	Harrison	Lundgren	Stimatiz
Christiansen	Healy	Mather	Swan
Clemow	Himsl	Mehrens	Teeple
Combs	Johnston	Melcher	Warfield
Cranston	Jordan	Nichols	Watt
East	Jureich	Nugent	Wayrynen
Egan	Kendall	Nyquist	Williams, P.
Eggebrecht	Knudsen	Polich	Yardley
Fasbender	Kolstad	Prevost	Zimmer
Feda	Kosena		

Against Maintenance of Shipping Facilities (29)

Asbjornson	Forester	McCulloch	Shively
Burnett	Glennen	McGrath	Smith, C. M.
Campbell	Goan	Newby	Spilde
Cashmore	Haines	Patrick	Stratton
Dye	Hemstad	Payne	Ulmer
Fagg	Holtz, M.	Pierce	White
Falkenstern	Kvaalen	Scott	Whitney
			Woodard

Gerke, Giesick, Hall, R. W. Holtz, Marks, Murphy, Perry, Schoonover, Spahr, Speare, W. G. Williams, Wolf and Worden did not vote.

TERRITORIAL INTEGRITY

House Bill 180—Rural Montanans have for several sessions been attempting to get legislation passed which would provide some security for rural electric cooperatives and prevent the continued invasion of their territories. This measure would have prohibited the duplication of electric service and provided for the continuation of such service in certain areas. It would also have modified the exemption of rural electrics from regulation by the Montana Public Service Commission and reclassified certain property of the co-ops for tax purposes so that they would be paying in a similar manner as the investor owned power companies.

The Montana Power Company viciously fought this bill with their "parrots" in the legislature pleading for "free enterprise". The co-ops pointed out they are "free enterprise" and besides they're wholly owned by Montanans while Montana Power is owned by over 85% non-residents.

It was pointed out that this measure would provide some freedom of choice as to what company the consumers would prefer to have serve them. It was also stressed that the co-ops have had no problem with other investor owned utilities and have been able to work with them amicably.

This bill was a bi-partisan effort and had bi-partisan support but it came out of the Business and Industries Committee of the Republican controlled House with a "do not pass" majority report.

It's worth remembering that although "Territorial Integrity" was pledged in the 1968 Democratic platform, 10 Democrats: Healy, Jurcich, Kosena, Lee, Loble, Lombardi, McGrath, Mehrens, Nugent and Wayrynen voted against the bill.

Ayes—For Territorial Integrity (46)

Aspevig	Harlow	Romney
Aubert	Holtz, R.	Schoonover
Baeth	Johnston	Smith, E. B.
Bardanouve	Kendall	Spahr
Brand	Knudsen	Speare
Christiansen	Kolstad	Staigmiller
Clemow	Kvæalen	Steele
Egan	Laas	Stimat
Aggebrecht	Lund	Teepie
Fasbender	Marks	Warfield
Feda	Meleher	Watt
Fleming	Nichols	Williams, Pat
Gerke	Perry	Wolf
Gilligan	Prevost	Yardley
Gunderson	Robbins	Zimmer
Hageman		

Nays—Against Territorial Integrity (58)

Asbjornson	Harrison	Nyquist
Brownlee	Healy	Patrick
Burnett	Hemstad	Payne
Campbell	Himsl	Pierce
Casey	Holtz, M.	Polich
Cashmore	Jordan	Rygg
Combs	Jureich	Scott
Cranston	Kosena	Shively
Dye	Lee	Smith, C. M.
East	Loble	Spilde
Fagg	Lombardi	Stratton
Falkenstern	Lundgren	Swan
Feisthamel	Mather	Ulmer
Forester	McCulloch	Wayrynen
Giesick	McGrath	White
Glennen	Mehrens	Whitney
Goan	Murphy	Williams, W. G.
Haines	Newby	Woodard
Hall	Nugent	Worden

NOTE—John Hall (D) in voting against this motion did so in order that he might be on the prevailing side and in the position to make a motion for reconsideration.

Sponsors of House Bill 180 were Ed Smith, Louis Perry, Robert Prevost and Bill Christiansen.

PUNITIVE TAX

House Bill 204—This measure was basically the same proposal as was contained in House Bill 115 which was introduced by Goan in the 1967 session and which was labelled by cooperative people as "one of the worst anti-cooperative bills ever introduced in the Legislature."

We should note that there was one significant change in House Bill 204 that provided that in computing taxable income, all patronage refunds would be included as corporate net profit and taxable as such regardless of when or how a distribution of such rebate was made.

Worthwhile noting is the fact that at a House Ways and Means Committee hearing on House Bill 204 the single proponent of it was its chief sponsor Bill Goan.

House Bill 204 passed the House and died in a free conference committee at the end of the regular session of the 41st legislature, after having been completely amended by the Democratic-controlled Senate.

The measure was amended many times in the House in an effort to make it more acceptable before passing it over to the Senate.

The Senate amended the bill to increase the basic corporate license tax rate from 5.5 to 6.25 per cent; increased the minimum tax from \$10 to \$50 and removed the punitive portion of the bill as it pertained to co-ops.

It was pointed out in the Senate that no funds or property owned by co-ops escape taxation under applicable state or federal laws. It was noted that patronage savings are taxed either in the hands of the patron or the co-op.

"Aye" votes in the House and "Nay" votes in the Senate were for equitable taxation and in the public interest.

Sponsors of House Bill 204 were: Goan, Newby, Cranston, Fagg and Giesick.

HOUSE VOTE ON HB 204

For Punitive Tax On Co-ops (49)

Substitute Motion—Do Not Pass (Aye a right vote, Nay
a wrong vote)

Aubert	Hageman	Lee	Spahr
Baeth	Hall	Loble	Speare
Bardanouve	Harlow	Lombardi	Staigmiller
Brand		McGrath	Steele
Christiansen	Healy	Mehrens	Stimatz
Egan	Holtz, R.	Melcher	Teeple
Eggebrecht	Johnston	Nugent	Watt
Fasbender	Jurcich	Polich	Wayrynen
Fleming	Kendall	Prevost	Williams, P.
Gerke	Knudsen	Robbins	Yardley
Gilligan	Kosena	Romney	Zimmer
Gunderson	Laas	Schoonover	

Against Punitive Tax on Co-ops (46)

Asbjornson	Feda	Lund	Scott
Aspevig	Feisthamel	Marks	Shively
Burnett	Forester	Mather	Spilde
Campbell	Giesick	McCulloch	Stratton
Casey	Glennen	Newby	Swan
Cashmore	Goan	Nichols	Ulmer
Clemow	Haines	Nyquist	Warfield
Combs	Hemstad	Patrick	White
Cranston	Holtz, M.	Payne	Whitney
East	Jordan	Perry	Williams, W.
Fagg	Kolstad	Pierce	Wolf
Falkenstern	Kvaalen	Rygg	Woodard

Of interest is the fact that 45 Democrats and one Republican, Polich, voted to kill the bill, while 48 Republicans and one Democrat, Aspevig, voted in favor of the bill. It is of special significance that nine Republicans: Himsl, Lundgren, Murphy, Dye, Brownlee, C. M. Smith, Ed Smith, Worden and Harrison did not vote.

Senate Vote on Amended House Bill 204—Motion to segregate or kill the bill.

For Punitive Tax On Co-ops (24)

(Aye a wrong vote, Nay a right vote.)

Bennett	Hazelbaker	Mathers	Rostad
Brownfield	Hibbard	Moritz	Rugg
Cochrane	Klindt	Moore	Selstad
Deschamps	Lehrkind	Northey	Sparks
Folsom	Lyon	Rehberg	Stephens
Haughey	Mackay	Rosell	Turnage

Against Punitive Tax On Co-ops (30)

Anderson	Flynn	Keenan	Mitchell
Bertsche	Gilfeather	Lynch	Nees
Bollinger	Goodheart	Mahoney	Reber
Boylan	Graham	Manning	Sheehy
Broeder	Groff	McDonald	Shugrue
Cotton	Hafferman	McGowan	Siderius
DeWolfe	James	McKeon	Stein
Dzivi			Thiessen

PATRONAGE REFUNDS

House Bill 168—The continual argument concerning patronage refunds of cooperatives would have been settled by this measure as it would have amended Montana's existing corporation license tax statutes so that they would specifically provide that the State Board of Equalization follow the federal corporation income tax definition for taxable income in setting the tax status of patronage refunds.

This measure was presented in the 1967 session at the request of the State Board of Equalization as House Bill 189.

The Legislative Council, at the request of the 1967 legislature, made a specific study of Montana's corporation license tax laws and reported to the 1969 session.

The Legislative Council recommended "that the state should adopt the federal income tax definition of 'taxable income' as required by the federal government."

Although this bill had bipartisan support and sponsorship and the support of both the Legislative Council and the State Board of Equalization, it failed to make it out of the Republican controlled House Ways and Means Committee.

An adverse committee report was adopted by an unrecorded voice vote.

Sponsors of the bill were: Fasbender, Spahr, Bardanoue and Murphy.

AMENDMENT TO MONTANA CONSTITUTION TO CHANGE VOTING AGE TO 19 YEARS

House Bill 43—The young people of Montana and their long hours of waiting for a voice in the government will be over if the voters look favorably upon the Constitutional Amendment which will be on the ballot in 1970. This is an amendment changing Section 2, Article IX of the Montana Constitution changing the voting age to nineteen.

HB 43 states that every person of age nineteen and over, possessing the necessary qualifications of residency and citizenship shall be entitled to vote.

This measure was kicked around considerably with many comments about the advisability of permitting young people the voting privilege, for opponents chose to characterize all young people as "hippies" and irresponsible.

A large delegation of young Montanans, many from the University System, lobbied for this measure and presented statements to committees favoring it.

Once again emotions were strained and as with all emotional issues there were strong sentiments and statements.

Sponsors of HB 43 were: Harrison, Lucas, Giesick. Cranston, Spahr and Pat Williams.

HOUSE VOTE ON HB 43

For Submitting the Question To the People (84)

Asbjornson	Gilligan	Loble	Robbins
Aspevig	Glennen	Lombardi	Romney
Aubert	Goan	Lucas	Schoonover
Baeth	Gunderson	Lund	Shively
Bardanoue	Hageman	Lundgren	Smith, E. B.
Brand	Haines	Marks	Spahr
Campbell	Hall	Mather	Speare
Casey	Harlow	McCulloch	Staigmiller
Christiansen	Harrison	McGrath	Steele
Clemow	Healy	Mehrens	Stratton
Cranston	Hemstad	Melcher	Teeple
Dye	Himsl	Murphy	Ulmer
East	Johnston	Nichols	Warfield
Egan	Jurcich	Nugent	Watt
Eggebrecht	Kendall	Nyquist	Wayrynen
Falkenstern	Knudsen	Patrick	White
Fasbender	Kolstad	Payne	Williams, P.
Fleming	Kosena	Perry	Williams, W.
Forester	Kvaalen	Pierce	Worden
Gerke	Laas	Polich	Yardley
Giesick	Lee	Prevost	Zimmer

Again Submitting the Question To the People (17)

Brownlee	Fagg	Newby	Spilde
Burnett	Feda	Rygg	Swan
Cashmore	Feisthamel	Scott	Whitney
Combs	Jordan	Smith, C. M.	Wolf
			Woodard

M. E. Holtz, R. W. Holtz and Stimatz didn't vote.

SENATE VOTE ON HB 43

For Submitting the Question To the People (46)

Anderson	Goodheart	Mahoney	Reber
Bertsche	Graham	Manning	Rehberg
Bollinger	Groff	Mathers	Rosell
Boylan	Hafferman	McDonald	Rostad
Cochrane	Haughey	McGowan	Selstad
Cotton	Hazelbaker	McKeon	Sheehy
Deschamps	Hibbard	Mitchell	Shugrue
DeWolfe	James	Moritz	Siderius
Dzivi	Keenan	Nees	Stephens
Flynn	Lehrkind	Northey	Thiessen
Folsom	Lynch	Reardon	Turnage
Gilfeather	Lyon		

Against Submitting the Question To the People (7)

Broeder	Klindt	Moore	Stein
Brownfield	Mackay	Rugg	

Bennett and Vanio were excused.

**THERE'S ANOTHER
ELECTION COMING!**

**ARE YOU
REGISTERED
TO VOTE?**

